

2015/2018

# Complaints Procedure Policy

## Llanishen High School

This Policy should be read in conjunction with the Welsh Government 'Complaints procedure for school governing bodies in Wales' circular, October 2012. It follows the guidance published under section 10 of the Education Act 1996 and section 29(2) of the Education Act 2002.

Authored by Mrs Jackie Pearce  
Responsible staff member – Mrs Jackie Pearce  
Approved by governing body – December 2015  
To be reviewed – December 2018



## **INTRODUCTION**

Llanishen High School is committed to dealing effectively with complaints. Where appropriate we will put right any mistakes we have made and we will apologise. We aim to learn from mistakes and use that experience to improve what we do. Our definition of a complaint is 'an expression of dissatisfaction in relation to the school or a member of its staff that requires a response from the school.'

Complaints can be made by parents, carers, pupils, members of staff, members of the local community or any community organisation, in short by anyone, that has dealings with the school.

This complaints procedure supports our commitment to the above and is a way of ensuring that anyone with an interest in the school can raise a concern, with confidence that it will be heard and addressed in an appropriate and timely fashion.

## **WHEN TO USE THIS PROCEDURE**

When you have a concern or make a complaint we will usually respond in the way we explain below. Sometimes you might be concerned about matters that are not decided by the school, in which case we will tell you to who to complain to. At other times, you may be concerned about matters that are handled through other procedures, in which case we will explain to you how your concern will be dealt with. If your concern or complaint is about another body as well as the school (for example the local authority), we will work with them to decide how to handle your concern.

## **HAVE YOU ASKED US YET?**

If you are approaching us for the first time you should give us a chance to respond. If you are not happy with our response then you may make your complaint using the procedure we describe below. Most concerns can be settled quickly just by speaking to the relevant person in school, without the need to use a formal procedure.

## **WHAT WE EXPECT FROM YOU**

We believe that all complainants have a right to be heard, understood and respected. School staff and governors have the same right. We expect you to be polite and courteous. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining.

## **OUR APPROACH TO ANSWERING YOUR CONCERN OR COMPLAINT**

We will consider all your concerns and complaints in an open and fair way. At all times, the school will respect the rights and feelings of those involved and make every effort to protect confidential information. Timescales for dealing with your concerns or complaints may need to be extended following discussion with you. We may ask for advice from the local authority where appropriate. Some types of concern or complaint may raise issues that have to be dealt with in another way (other than through this complaints policy), in which case we will explain why this is so, and will tell you what steps will be taken.

The governing body will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. Records will be kept in school for seven years. Complaints that are made anonymously will be recorded but investigation will be at the discretion of the school depending on the nature of the complaint.

Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the governing body will ensure that records are kept of the investigations that are made and what actions are taken, including the reasons for 'no action'.

## ANSWERING YOUR CONCERN OR COMPLAINT

The chart in Appendix A shows what may happen when you make a complaint or raise a concern. There are three Stages: A, B and C. Most complaints can be resolved at Stages A or B. You can bring a relative or companion to support you at any time during the process but you will be expected to speak for yourself. However, we recognise that when the complainant is a pupil, it is reasonable for the companion to speak on their behalf and/or to advise the pupil.

As far as possible, your concern or complaint will be dealt with on a confidential basis. However, there may be occasions when the person dealing with your concern or complaint will need to consider whether anyone else within the school needs to know about it, so as to address it appropriately.

If you are a pupil under 16 and wish to raise a concern or bring a complaint we will ask for your permission before we involve your parent(s) or carer(s). If you are a pupil under 16 and are involved in a complaint in any other way, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

### STAGE A

If you have a concern, you can often resolve it quickly by talking to a teacher, a subject leader, a year team leader or other member of the senior leadership team. You can also contact one of our Complaints Officers (Mrs S Parry, Headteacher and Mr L Brennan, Deputy Headteacher).

You should raise your concern as soon as you can; normally we would expect you to raise your issue within 10 school days of any incident. The longer you leave it the harder it becomes to deal with it effectively. If you are a pupil, you can raise your concerns with your school council representative, form tutor, a subject teacher or your year team leader. This will not stop you, at a later date, from raising a complaint if you feel that the issue(s) you have raised have not been dealt with properly.

We will try to let you know what we have done or are doing about your concern within 10 school days, but if this is not possible, we will talk to you and agree a revised timescale with you.

The person overseeing your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern for future reference.

### STAGE B

In most cases, we would expect your concern to be resolved at Stage A. If you feel that your concern or complaint has not been dealt with appropriately at Stage A you should put your complaint in writing to the headteacher. We would expect you to do **this within five school days of receiving a Stage A response to your concern or complaint as it is in everyone's interest to resolve a complaint as soon as possible**. There is a form attached (**Appendix B**) that you may find useful in putting your complaint in writing. If you are a pupil we will explain the form to you, help you complete it and give you a copy. In all cases, Mrs Parry or Mr Brennan can help you to put your complaint in writing.

If your complaint is about the headteacher, you should write to the chair of governors at the school address, to ask for your complaint to be investigated.

The headteacher will normally designate a member of the senior team to investigate your complaint. That person will invite you to a meeting to discuss your complaint and agree a timescale for dealing with your complaint. We will aim to hold that meeting within 10 school days of receiving your letter. The designated person will complete the investigation and will let you know the outcome in writing in accordance with the timescale agreed with you.

## **STAGE C**

It is rare for a complaint to progress any further. However, if you still feel that your complaint has not been dealt with fairly, you should write within 5 school days of receiving the Stage B response to the chair of governors at the school address asking the governing body's complaints committee to consider your complaint. You should set out the reasons for your request and what action would in your view resolve the problem. You do not have to write down details of your whole complaint again.

If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors. You should request a meeting within 5 days of receiving the Stage B response. The chair of governors will write down what is discussed and what, in your own words, would resolve the problem. You will be asked to read the notes or will have the notes read back to you and then be asked to sign them as a true record of what was said. The clerk to the governing body will send you a letter to confirm how the complaint will be dealt with. The complaints committee will normally have a meeting with you within 15 school days of receipt of your letter to the chair of governors or your meeting with the chair of governors.

The letter will tell you the place and time of the meeting, the names of the members of the governing body who will hear your complaint, and give a date by which any written evidence and documentation you or the school want to provide must be received by the clerk. Everyone involved in the meeting – the governors, the school representatives and the complainant - will see the evidence and documentation provided by you and by the school before the meeting. All those involved are expected to respect the need for confidentiality. The timescale may need to be changed, to allow for people's availability, the gathering of evidence or the need to seek advice. In this case, the clerk will agree a new meeting date with you.

Normally, in order to deal with the complaint as quickly as possible, the clerk will not reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the committee may decide on the complaint in your absence to avoid unnecessary delays.

The committee will normally have a single meeting to which everyone with an interest in the complaint is invited. The meeting will normally be as informal as possible and there will be opportunity for the complainant to put their case, for the school representatives to respond, for the committee to ask questions of both parties and for each party to comment on what the other has said. If the complaint is brought by a parent or carer they can if they wish ask that the pupil be invited to attend the meeting.

We will write to you within 10 school days of the meeting setting out the complaints committee's decision, the reasons for it and any action following on from the decision. The decision of the complaints committee is final.

We will keep full records of all complaints cases for a minimum of seven years to enable the governing body to review the nature of the complaints received and the decisions reached

## **SPECIAL CIRCUMSTANCES**

Where a complaint is made about any of the following the complaints procedure will be applied differently.

**A governor or group of governors** - The concern or complaint will be referred to the chair of governors for investigation. The chair may delegate the matter to another governor for investigation. Stage B onwards of the complaints procedure will apply.

**The chair of governors or headteacher and chair of governors** - The vice chair of governors will be informed and will investigate or delegate the matter to another governor. Stage B onwards of the complaints procedure will apply.

**Both the chair of governors and vice chair of governors** - The complaint will be referred to the clerk to the governing body who will convene a complaints committee. Stage C of the complaints procedure will apply.

**The whole governing body** - The complaint will be referred to the clerk to the governing body who will inform the headteacher, chair of governors and local authority. The authority will usually agree arrangements with the governing body for independent investigation of the complaint.

**The headteacher** - The concern or complaint will be referred to the chair of governors who will undertake the investigation or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.

**Complaints about members of school staff, including the designated complaints officer** - Any complaint about a member of staff should be passed to the headteacher. The headteacher may decide to delegate investigation to another senior member of staff under Stage A of the procedure, or to investigate it themselves under Stage B.

In all cases the school and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

## **OUR COMMITMENT TO YOU**

We will take your concerns and complaints seriously and, where we have made mistakes, will try to learn from them. If you need help to make your concerns known we will try and assist you.

The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

## Appendix A

### Complaint form

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned. If you are a pupil the school will help you complete this form, will explain it to you and will give you a copy of it when it is completed.

#### A.Your details:

<b>Surname:</b>	
<b>Forenames:</b>	
<b>Title: Mr/Mrs/Ms/other :</b>	
<b>Address and postcode :</b>	
<b>Daytime phone number :</b>	
<b>Mobile phone number :</b>	
<b>e-mail address :</b>	
How would you prefer us to contact you?	

**B. If you are making a complaint on behalf of someone else, what are their details?**

<b>Their name in full :</b>	
<b>Address and postcode :</b>	
<b>What is your relationship to them?</b>	
<b>Why are you making a complaint on their behalf?</b>	

**C. About your complaint (continue your answers on separate sheets of paper if necessary)**

Name of the school you are complaining about:
What do you think they did wrong or did not do?
Describe how you have been affected.
When did you first become aware of the problem?

If it is more than three months since you first became aware of the problem, please give the reason why you have not complained before.

What do you think should be done to put matters right?

Have you already put your complaint to a member of staff? If so, please give brief details about how and when you did so.

**Signature of complainant:**

**Date:**

**Signature if you are making a complaint on behalf of someone else**

**Signature:**

**Date:**

Please send this form and any documents to support your complaint to: Mrs S Parry, Llanishen High School, Heol Hir, Llanishen, Cardiff, CF14 5YL

**Official Use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: